



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION IX  
75 Hawthorne Street  
San Francisco, CA 94105

JUL 24 2008

**Certified Mail - Return Receipt**

Harold D. Hincks  
Contracting Officer  
EM Consolidated Business Center  
U.S. Dept of Energy  
250 East Fifth Street, Suite 500  
Cincinnati, OH 45202

Re: DOE-IA #DE-AI30-08CC60036  
EPA-IAG #RW-89-95577601-0

Dear Mr. Hincks:

The United States Environmental Protection Agency (EPA) is pleased to forward for your official record the fully executed funding agreement with the Department of Energy. Also enclosed is the corresponding EPA Form 1610-1 for your file.

Please contact the assigned EPA Project Officer, Mary Aycok, at (415) 972-3289 or Susan Chiu, EPA Grants Specialist, at (415) 972-3674 should you have any questions regarding this matter.

Sincerely,

A handwritten signature in black ink, which appears to read "Keith Takata", is written over a horizontal line.

Keith Takata  
Director  
Superfund Division

Enclosures

# DEPARTMENT OF ENERGY FUNDS-OUT INTERAGENCY AGREEMENT (IA)

1.a. DOE IA No. DE-A130-08CC60036  
b. MODIFICATION No. n/a  
c. PR No. [08CC60036.001]  
d. PERFORMING AGENCY IA No.

2. TYPE OF ACTION:  
[XX]New [ ]Incremental [ ]Renewal [ ]Other

3. AUTHORITY: The Economy Act of 1932 (31 USC 1535);  
P.L. 95-91; other:

4. GENERAL PROVISIONS/REQUIREMENTS: [X] see attached [ ] unchanged

5. PROJECT PERIOD: July 23, 2008 – 180 days following completion of the SSFL Area IV radiological survey final report

6. FUNDING PERIOD: July 23, 2008 – 180 days following completion of the SSFL Area IV radiological survey final report

7. PROJECT TITLE: Radiological Characterization of Area IV at Santa Susana Field Laboratory (SSFL)

8. ISSUING DOE OFFICE:  
U.S. Department of Energy  
EM Consolidated Business Center  
250 East Fifth Street, Suite 500  
Cincinnati, Ohio 45202

9. PERFORMING AGENCY:  
U.S. Environmental Protection Agency  
Region IX  
75 Hawthorne St.  
San Francisco, CA 94105

10. ADMINISTERED FOR DOE BY:  
Harold D. Hincks  
U.S. Department of Energy  
EM Consolidated Business Center  
250 East Fifth Street, Suite 500  
Cincinnati, Ohio 45202  
Phone: (513) 246-0586/FAX: (513) 246-0529  
E-mail: david.hincks@emcbe.doe.gov

11. PERFORMING AGENCY BUSINESS CONTACT:  
Keith Takata  
U.S. Environmental Protection Agency  
Region IX  
75 Hawthorne St.  
San Francisco, CA 94105  
Phone: (415) 947-8709  
E-mail: Takata.Keith@epamail.epa.gov

12. DOE PROGRAM OFFICER:  
Richard Schassburger  
United States Department of Energy  
1301 Clay St., Suite 1660-N  
Oakland, CA 94612  
Phone: (510-637-1617/Fax: 510-637-2001  
E-mail: richard.schassburger@emcbe.doe.gov

13. PERFORMING AGENCY TECHNICAL CONTACT:  
Keith Takata  
U.S. Environmental Protection Agency  
Region IX  
75 Hawthorne St.  
San Francisco, CA 94105  
Phone: (415) 947-8709  
E-mail: Takata.Keith@epamail.epa.gov

14. ACCOUNTING AND APPROPRIATION DATA:

Prior Funding Obligations:	\$0.00
Total Funds Obligated This Action:	\$1,500,000.00
Total Funding Obligations:	\$1,500,000.00

15. OF

Fund	Year	Allottee	Reporting Entity	SGL	Object Class	Program	Project	WFO	Local Use	Dollar Amount	METHOD
01757	2008	33	490813	61000000	25200	1110988	0003874	0000000	0000000	\$922,005.00	
01751	2008	33	490800	61000000	25200	1111305	0003899	0000000	0000000	\$577,995.00	

PAYMENT: [X] Advance [ ] Reimbursement

16. BILLING INSTRUCTIONS: [X] IPAC (see General Provisions) [ ] Voucher (see General Provisions)

17. PERFORMING AGENCY ACCEPTANCE  
Keith Takata  
(Signature) (Date)  
Name: Keith Takata  
Title: Director, Superfund Division  
Telephone: (415) 947-8709

18. DOE CONTRACTING OFFICER  
Harold D. Hincks 23 JUL 08  
(Signature) (Date)  
Name: Harold D. Hincks  
Title: Contracting Officer  
Telephone: (513) 246-0586

## **General Provisions and Requirements**

### **IA.1 FINANCING**

- (a) DOE authorizes the EPA, as the Performing Agency to expend funds in adherence to the requested work and/or deliverables cited herein. DOE's preferred method for transferring funds to the EPA is via the Intergovernmental Payment and Collection System (IPAC). For the initial funds transferred by the IGA, EPA should make one IPAC charge of \$1,500,000.00 with reference to DOE's IA Number cited in block 3.a. of the Face Page. This initial IPAC charge, as well as future IPAC charges (if any), must be supported with the appropriate documents/required reports. If IPAC is not a satisfactory billing method, a mutually agreeable alternative should be negotiated before acceptance of this Agreement. Questions regarding payments may be directed to: Harold D. Hincks, Contracting Officer at (513) 246-0586.

### **IA.2 ENVIRONMENTAL SAFETY AND HEALTH REQUIREMENTS**

DOE will not assume responsibility for prescribing and/or enforcing environmental safety and health requirements for operators of other Performing Agency facilities engaged in the performance this work.

## **RADIOLOGICAL CHARACTERIZATION OF AREA IV AT SANTA SUSANA FIELD LABORATORY**

### **PURPOSE**

This Interagency Agreement (IAG) provides Department of Energy (DOE) funds to Environmental Protection Agency (EPA) so that EPA can: 1) conduct a background study to determine site specific background values for radiological contaminants at the Santa Susana Field Laboratory (SSFL), and 2) develop a scope of work, schedule and cost estimate for the first phase of a radiological survey of SSFL Area IV and buffer zone areas adjacent to Area IV.

### **BACKGROUND**

DOE historically conducted activities in a portion of Area IV of the SSFL facility known as ETEC. DOE is currently conducting environmental investigations into conditions in Area IV. These activities include preparing an Environmental Impact Statement in accordance with the *National Environmental Policy Act of 1969* for Area IV as required by an Order of the U.S. District Court for the Northern District of California in Case No. C-04-04448-SC. DOE has also entered into a Consent Order for Corrective Action with the California Department of Toxic Substances Control (DTSC) pursuant to DTSC's authority over the cleanup of hazardous wastes under the *Resources Conservation and Recovery Act of 1976* (RCRA). DOE is in the process of preparing RCRA Field Investigation Reports for Area IV of SSFL as required by the Consent Order schedule.

In Pub. L. No. 110-161, DOE was appropriated \$13 million for "environmental remediation activities associated with" ETEC. Pub.L. No. 110-161 also provided additional direction that DOE must use a portion of this \$13 million to "enter into an interagency agreement with the Environmental Protection Agency to conduct a joint comprehensive radioactive characterization of Area IV of the SSFL."

### **AUTHORITIES**

This IAG is entered into consistent with applicable federal law, including but not limited to:

For EPA: the Consolidated Appropriations Act for FY 2008, Pub. L. No. 110-161 at 121 Stat. 1959; applicable provisions of the *Comprehensive Environmental Response, Compensation and Liability Act*, as amended, 42 U.S.C. Section 9601 et seq., and the CERCLA National Contingency Plan, 40 C.F.R. Part 300.

For DOE: the Consolidated Appropriations Act for FY 2008, Pub. L. No. 110-161 at 121 Stat. 1959; *Atomic Energy Act* (AEA), 42 U.S.C. Section 2011, et seq.; and applicable provisions of the *Comprehensive Environmental Response, Compensation and Liability Act*, as amended, 42 U.S.C. Section 9601 et seq.



## **AGREEMENT**

DOE agrees to fund EPA's development of the scope, schedule and a cost estimate for the first phase of a radiological survey of SSFL Area IV and buffer zone areas adjacent to Area IV. DOE also agrees to provide funding to EPA so that EPA can conduct a background study to determine site specific background values for radiological contaminants at SSFL.

Attachment A (also referred as "the Work") describes the scope of activities anticipated by this IAG. EPA will be the Lead Agency for conducting this Work that is summarized and defined in Attachment A to this IAG.

## **AGENCY ROLES AND RESPONSIBILITIES**

EPA will be the Lead Agency for the Work conducted by EPA and funded by DOE under this IAG. With respect to the Work conducted by EPA, the term "Lead Agency" shall have the meaning established in relevant portions of the CERCLA National Contingency Plan, 40 C.F.R. Part 300. DOE and EPA personnel will discuss the progress of the Work on a regular basis, but no less than quarterly.

## **PROGRAMMING, BUDGETING AND FUNDING**

DOE will provide \$1,500,000 in FY 08 to EPA for the EPA Work as described in Attachment A in this IAG. A portion of the funds (up to \$250,000) may be used to fund EPA staff, FTE and travel expenses related to the EPA Work. Any additional funds needed by EPA to complete the Work as described in Attachment A will be transferred to EPA by means of an amendment to this IAG.

Funds transferred to EPA under this IAG shall be deposited in the EPA Santa Susana Field Laboratory Site Special Account within the EPA Hazardous Substance Superfund Account to be retained and used solely to conduct or finance the work in this IAG at the Santa Susana Field Laboratory Site.

Any requirement for the payment or obligation of funds established by the terms of this IAG shall be subject to the availability of appropriated funds. EPA will perform the Work in this IAG on the condition that DOE provides all of the funding necessary for that Work. No provision herein shall be interpreted to require obligation or payment of funds in violation of the *Anti-Deficiency Act*, 31 U.S.C. Section 1341. In cases where payment or obligation of funds would constitute a violation of the *Anti-Deficiency Act*, the dates established requiring the payment or obligation of such funds shall be appropriately adjusted.

## **DISPUTE RESOLUTION**

DOE and EPA will use their best efforts to resolve any disputes regarding this IAG through informal dispute resolution. Informal dispute resolution should begin at the Project Manager level with appropriate involvement of DOE and EPA legal counsel. If informal dispute resolution is not successful, the dispute shall be forwarded to the EPA Region 9 Director, Superfund Division and the DOE Deputy Chief Operating Officer, Office of Environmental Management. However, the EPA Region 9 Regional Administrator will have sole and final authority to resolve any dispute concerning a matter of scientific, policy or technical judgment regarding the scope, conduct or analysis of the EPA Work.

### **EXECUTION AND TERMINATION**

This IAG shall be terminated 180 days following the completion of the EPA SSFL Background Study Report, unless the term of this IAG is extended by mutual agreement. Should DOE be unable to fulfill its obligation to transfer the \$1.5 million discussed in Section IV of this IAG or be unable to comply with a subsequent request by EPA for additional funds to complete the Work, EPA may terminate this IAG thirty days after delivery to DOE of a notice to terminate this IAG.

### **MODIFICATION**

This IAG may be modified by mutual agreement of the parties in order to facilitate the continuation and completion of the radiological characterization of SSFL Area IV and adjacent portions of the buffer zone areas.

### **RESERVATION OF RIGHTS**

This IAG is to be used solely for DOE's and EPA's internal management purposes. This IAG does not extend to any other person or entity nor does it create any right or cause of action. DOE and EPA, respectively, reserve any and all rights or authorities including but not limited to legal, equitable or administrative rights. In particular, EPA reserves all rights and authorities established by and provided under CERCLA and the NCP as delegated by the President to EPA. Further, DOE reserves all rights and authorities established by and provided under Atomic Energy Act and Executive Order 12580.

**ATTACHMENT A:**  
**DESCRIPTION OF EPA WORK TO BE PERFORMED**

Complete Background Study to Determine Site-Specific Background Values for Radiological Constituents:

1. Develop Scope of Work for a study to determine site specific background values for radiological contaminants of concern at for Area IV at SSFL.
2. Share Scope of Work with State of CA, DOE and stakeholders for input
3. Develop Field Sampling Plan
  - Study will include radiological scanning and soil sampling
  - Areas that are geologically similar to Area IV but not impacted by activities at SSFL will be chosen for sampling
  - Collect and analyze statistically appropriate number of samples to determine background values for the relevant radionuclides
4. Conduct field work
5. Prepare Report of Findings
  - Circulate Report for DOE, State and Stakeholder input
6. Prepare Final Report
7. EPA will provide to DOE a quarterly summary status report on dollars spent and progress to date.

Develop Detailed Scope of Work for Conducting the Initial Phase of Radiological Study of Area IV and the Adjacent Buffer Zone:

Initial Phase of Study will include:


1. 100% Surface Scan of accessible areas using MARSSIM principles
2. Surface Soil Sampling and Analysis for radionuclides
3. Cost Estimate for All Work

DEPARTMENT OF ENERGY

ENVIRONMENTAL PROTECTION AGENCY

  
(Date)

Cynthia V. Anderson  
Deputy Chief Operating Officer  
Office of Environmental Management

  
(Date)

Keith Takata  
Director  
Superfund Division

JUL 24 2008



United States Environmental  
Protection Agency  
Washington, DC 20460

**Interagency Agreement**

**Amendment**

**Part 1 - General Information**

1. EPA IAG Identification Number  
RW-89-95577601 - 0

4. Funding Location by Region

2. Other Agency IAG ID Number  
DE-AI30-08CC60036

5. Program Office  
Abbreviation  
Region 9

3. Type of Action  
New

6. Name and Address of EPA Organization  
US Environmental Protection Agency  
Superfund Division, SFD-1  
75 Hawthorne Street  
San Francisco, CA 94105  
DUNS: 128335200

7. Name and Address of Other Agency  
Department of Energy-Oakland Operations Office  
1301 Clay Street  
Oakland, CA 94612  
  
DUNS:

8. Project Title and Description  
RADIOLOGICAL CHARACTERIZATION OF AREA IV AT SANTA SUSANA FIELD LAB  
This agreement provides to EPA funding in the amount of \$1,500,000 from DOE to: 1) conduct a background study to determine site specific background values for radiological contaminants and 2) develop a scope of work, schedule and cost estimate for the first phase of a radiological survey.

9. EPA Project Officer (Name, Address, Phone Number)  
Mary Aycock  
75 Hawthorne Street, SFD-8  
San Francisco, CA 94105  
415-947-4169

10. Other Agency Project Officer (Name, Address, Phone Number)  
Richard Schassburger  
1301 Clay Street  
Oakland, CA 94612  
510-637-1617

11. Project Period  
07/24/2008 to 09/30/2014

12. Budget Period  
07/24/2008 to 09/30/2014

13. Scope of Work

The referenced project and budget start dates are estimated only. The project can incur expenses from the date EPA receives spending/budget authority from our Headquarters office.

REFER TO ATTACHED DOE PAPERWORK FOR SCOPE OF WORK.

EPA Grants Specialist for this IAG is Susan Chiu 415-972-3674

14. Statutory Authority for Both Transfer of Funds and Project Activities  
CERCLA: Secs. 105(a)(4) & 115; Executive Order 12580 as amended

15. Other Agency Type  
Federal Agency

Funds	Previous Amount	Amount This Action	Amended Total
16. EPA Amount			\$0
17. EPA In-Kind Amount			\$0
18. Other Agency Amount		\$1,500,000	\$1,500,000
19. Other Agency In-Kind Amt.			\$0
20. Total Project Cost		\$1,500,000	\$1,500,000

21. Fiscal

Site Name	DCN	FY	Approp.	Budget Org.	PRC	Object	Site/Project	Cost Org.	Obligation
		08	TR	09K0XC9	302DD2	10	09QLQB00		200,000
		08	TR	09K0XC9	302DD2	21	09QLQB00		50,000
		08	TR	09K0XC9	302DD2	37	09QLQB00		1,250,000
									1,500,000



Part II - Approved Budget		EPA IAG Identification Number RW-89-95577601 - 0
22. Budget Categories	Itemization of This Action	Itemization of Total Project Estimated Cost to Date
(a) Personnel	\$150,000	\$150,000
(b) Fringe Benefits	\$50,000	\$50,000
(c) Travel	\$50,000	\$50,000
(d) Equipment		\$0
(e) Supplies		\$0
(f) Procurement / Assistance	\$1,065,328	\$1,065,328
(g) Construction		\$0
(h) Other		\$0
(i) Total Direct Charges	\$1,315,328	\$1,315,328
(j) Indirect Costs: Rate <u>14.04%</u> Base <u>\$1,315,328.00</u>	\$184,672	\$184,672
(k) Total (EPA Share 0.00 %) (Other Agency Share 100.00 %)	\$1,500,000	\$1,500,000
23. Is equipment authorized to be furnished by EPA or leased, purchased, or rented with EPA funds? <input checked="" type="checkbox"/> No (Identify all equipment costing \$1,000 or more)		
24. Are any of these funds being used on extramural agreements? (See Item 22f.) <input checked="" type="checkbox"/> Yes		
Type of Extramural Agreement		<input checked="" type="checkbox"/> Procurement
Contractor/Recipient Name (if known)	Total Extramural Amount Under This Project	Percent Funded by EPA (if known)
UNKNOWN	1065328 Total \$ 1,065,328.00	0
<b>Part III - Funding Methods and Billing Instructions</b>		
25. (Note: EPA Agency Location Code (ALC) - 68010727)  Request for repayment of actual costs must be itemized on SF 1080 and submitted to the Financial Management Office, Cincinnati, OH 45268-7002:  Only available for use by Federal agencies on working capital fund or with appropriate justification of need for this type of payment method. Unexpended funds at completion of work will be returned to EPA. Quarterly cost reports will be forwarded to the Financial Management Center, EPA, Cincinnati, OH 45268-7002.  Used to transfer obligational authority or transfer of function between Federal agencies. Must receive prior approval by the Office of Comptroller, Budget Division, Budget Formulation and Control Branch, EPA Hdqtrs. Forward appropriate reports to the Financial Reports and Analysis Branch, Financial Management Division, PM-226F, EPA, Washington, DC 20460.		
26. <input checked="" type="checkbox"/> Reimbursement Agreement  <input checked="" type="checkbox"/> Advance		
Funding Agency's Treasury Symbol		<input checked="" type="checkbox"/> No-Year
Other Agency's IAG Identification Number DE-AI30-08CC60036	EPA Program Office Allowance Holder/Resp. Center No.	
Other Agency's Billing Address (include ALC or Station Symbol Number)  US Dept of Energy Oak Ridge Financial Service Center ATTN: Accounting Operations & Services Branch, FM-711 PO Box 6017 Oak Ridge, TN 37831-8722	Other Agency's Billing Instructions and Frequency  Submit one IPAC charge of \$1,500,000 with reference to DOE's IA number.	

**Part IV - Acceptance Conditions**

EPA Identification Number

RW-89-95577601 - 0

**27. General Conditions**

The other agency covenants and agrees that it will expeditiously initiate and complete the project for which funds have been awarded under this agreement.

**28. Special Conditions (Attach additional sheets if needed)****Part V - Offer and Acceptance**

**Note:** 1) For Disbursement actions, the agreement/amendment must be signed by the other agency official in duplicate and one original returned to the Grants Administration Division for Headquarters agreements or to the appropriate EPA Regional IAG administration office within 3 calendar weeks after receipt or within any extension of time as may be granted by EPA. The agreement/amendment must be forwarded to the address cited in item 29 after acceptance signature.

Receipt of a written refusal or failure to return the properly executed document within the prescribed time may result in the withdrawal of offer by EPA. Any change to the agreement/amendment by the other agency subsequent to the document being signed by the EPA Action Official which the Action Official determines to materially alter the agreement/amendment shall void the agreement/amendment.

2) For Reimbursement actions, the other agency will initiate the action and forward two original agreements/amendments to the appropriate EPA program office for signature. The agreements/amendments will then be forwarded to the appropriate EPA IAG administration office for acceptance signature on behalf of the EPA. One original copy will be returned to the other agency after acceptance.

EPA IAG Administration Office (for administrative assistance)

EPA Program Office (for technical assistance)

**29. Organization/Address**

US EPA R9  
Grants Management Office, MTS-7  
75 Hawthorne Street  
San Francisco, CA 94105

**30. Organization/Address**

US Environmental Protection Agency  
Region 9  
75 Hawthorne Street, SFD-8  
San Francisco, CA 94105

**Certification**

All signers certify that the statements made on this form and all attachments thereto are true, accurate, and complete. Signers acknowledge that any knowingly false or misleading statements may be punishable by fine or imprisonment or both under applicable law.

**Decision Official on Behalf of the Environment Protection Agency Program Office**

31. Signature

Typed Name and Title

Date

Michael Montgomery,  
Chief - Federal Facilities Branch

7/24/08

**Action on Behalf of the Environment Protection Agency**

32. Signature

Typed Name and Title

Date

Keith Takata,  
Director - Superfund Division

JUL 24 2008

**Authorizing Official on Behalf of the Other Agency**

33. Signature

Typed Name and Title

Date

REFER TO ATTACHED DOE PAPERWORK